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Honorable Timothy W. Dore

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

ZELLER, Keith M. & Courtney M.,

Debtors.

ZELLER, Keith M. & Courtney M.,

Plaintiffs,

v.

**UNITED STATES OF AMERICA
ACTING THROUGH THE U.S.
DEPARTMENT OF EDUCATION,**

Defendant.

Number 18-12006-TWD

Adversary Number: 23-01009-TWD

***ExParte* SECOND MOTION TO
EXTEND ORDER SUSPENDING PRE-
TRIAL DEADLINES AND TRIAL
DATE IN ADVERSARY PROCEEDING**

Plaintiffs Keith M. Zeller and Courtney M. Zeller and Defendant Department of
Education (“DOE”), by and through their undersigned counsel of record, jointly move the Court
for a Second Order Suspending Entry of Pre-Trial Deadlines and Trial Date in Adversary
Proceeding.

This motion is based upon the files and records herein and the Declaration of Travis A. Gagnier.

Dated this 16th day of June 2023.

Law Offices of Travis Gagnier, Inc., P.S.
Attorneys for Plaintiffs

/s/ Travis A. Gagnier
Travis A. Gagnier, WSBA #26379
Gregory Jalbert, WSBA #9440
Of Counsel

AND

ExParte SECOND MOTION TO EXTEND ORDER SUSPENDING
PRE-TRIAL DEADLINES AND TRIAL DATE IN ADVERSARY
PROCEEDING- 1

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United States Department of Justice

By: /s/ Kyle A. Forsyth

Kyle A. Forsyth, WSBA #34609
Assistant United States Attorney
U.S. Department of Justice
Western District of Washington
700 Stewart Street, Suite 5220
Seattle, WA 98101
kyle.forsyth@usdoj.gov

DECLARATION

Travis A. Gagnier, under penalty of perjury does hereby state the following:

1. That your declarant is over the age of 18 and competent to testify as to the matters set forth herein.
2. That I am the attorney that represents the Plaintiffs in this above-entitled adversary proceeding.
3. That the Plaintiffs have submitted an Attestation to the U.S. Attorney's office in order to for the Department of Education to determine if this matter can be resolved under the DOJ/DOE guidance issued in November 2022.
4. That an Order Suspending Entry of Pre-Trial Deadlines and Trial Date in Adversary Proceeding was entered by this Court on February 28, 2023 (doc 9) requiring the parties to send a joint letter to the Court by June 16, 2023 reporting that no settlement has been reached and asking for the deadlines and trial date to be set.
5. Your declarant is advised that a decision should be made on this matter by the Department of Education in the next 30 days or so. Thus, the parties are requesting a suspension of entry of Pre-Trial Deadlines and Trial Date until July 17, 2023.

1 WHEREFORE, your declarant prays for entry of a Second Order Extending Suspension of Pre-
2 Trial Deadlines and Trial Date in Adversary Proceeding.

3 Dated this 16th day of June 2023.

4 /s/ Travis A. Gagnier
5 Travis A. Gagnier, WSBA #26379
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